





# City of Loma Linda Official Report

Karen Gaio Hansberger, Mayor  
Floyd Petersen, Mayor pro tempore  
Robert Christman, Councilmember  
Stan Brauer, Councilmember  
Robert Ziprick, Councilmember

COUNCIL AGENDA: January 25, 2005

TO: City Council

VIA: Dennis R. Halloway, City Manager 

FROM: T. Jarb Thaipejr, Public Works Director/City Engineer 

SUBJECT: Council Bill #R-2005-9 – Ordering Annexation No. 65 to the Landscape Maintenance District

## **RECOMMENDATION**

It is recommended that the City Council adopt Council Bill #R-2005-8, ordering Annexation No. 65 to the Landscape Maintenance District, approving the assessments for Fiscal Year 2005-06 and ordering the assessments and collection of assessments for Fiscal year 2005-06.

## **BACKGROUND**

On November 9, 2004 the City Council approved Tentative Parcel Map 16120 (Spanos) located on the North side of Barton Road, East of California Avenue, subject to Conditions of Approval. Annexation to the Landscape Maintenance District is one of those Conditions.

## **ANALYSIS**

A petition requesting the waiver of the forty-five day notice period and Assessment Ballot, which includes the annual assessment on the subject property including a cost of living adjustment have been submitted by the property owner.

## **ENVIRONMENTAL**

Not applicable.

## **FINANCIAL IMPACT**

Cost associated with this annexation will be covered by the assessment.

*I:\Public Works Admin\Staff Reports\Annexation 65 PM 16120.doc*

RESOLUTION NO.

A COUNCIL BILL OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2005/2006 WITHIN LANDSCAPE MAINTENANCE DISTRICT NO. 1, ANNEXATION NO. 65, PARCEL MAP NO. 16120, AND CONFIRMING THE ENGINEER'S REPORT PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972

WHEREAS, the City Council of the City of Loma Linda did on the 11<sup>th</sup> day of January 2005 adopt its Resolution No. 2370 which initiated proceedings for the annexation of territory into Landscape Maintenance District No. 1 (the "District") as Annexation No. 65 (the "Annexation") and ordered the preparation of an Engineer's Report (the "Engineer's Report") for fiscal year 2005/2006, which Resolution No. 2370 was duly and legally published in the time, form and manner as required by law, shown by the Affidavit of Publication of said Council Bill on file in the office of the City Clerk; and

WHEREAS, a notice of public hearing was mailed to each property owner within the District as required under the Landscaping and Lighting Act of 1972 and Article XIII D of the California Constitution; and

WHEREAS, said City Council has by its Resolution No. 2370 declared its intention to annex territory into Loma Linda Landscape Maintenance District No. 1 to be known as Annexation No. 65 which has been conditioned as part of their development's approval to enter into the Landscape Maintenance District; and

WHEREAS the Owner of the territory to be included in Annexation No. 65 has submitted an Assessment Ballot in favor of the proposed assessment; and

WHEREAS, said City Council having duly received considered evidence, oral and documentary, concerning the jurisdiction facts in the proceeding and concerning the necessity for the contemplated work and the benefits to be derived therefrom, and said City Council having now acquired jurisdiction to order the proposed work.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Loma Linda as follows:

1. That the public interest and convenience requires the ordering of the levy and collection of assessment for fiscal year 2005/2006 and said City Council hereby orders that the work and assessment, as set forth and described in said Resolution of Intention No. 2370 be done and made; and
2. That the report filed by the Engineer is hereby ordered finally approved; and
3. That this City Council orders the annexation of the property referred to as Annexation No. 65 into the District; and

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4. That the assessments for fiscal year 2005/2006 and method of assessment in the Engineer's Report are hereby approved.

PASSED, APPROVED AND ADOPTED this 25<sup>th</sup> day of January 2005 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

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Karen Gaio Hansberger, Mayor

ATTEST:

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Pamela Byrnes-O'Camb, City Clerk